GOVERNMENT OF ANDHRA PRADESH

ABSTRACT

Public Services – WR Dept., - Allegation of acquisition of assets disproportionate to his known sources of income against Sri G.V. Gopala Rao, Executive Engineer [Retired] formerly worked at the Office of the Godavari Special Division, Eluru, West Godavari District –Convicted by the Orders of the Hon'ble High Court of A.P. in Criminal Appeal No.1387/2007,dt.17.06.2015 – Imposition of punishment of withholding pensionary benefits against Sri G.V. Gopala Rao, Executive Engineer [Retired] – Orders – Issued.

WATER RESOURCES [VIG.I] DEPARTMENT

G.O.MS.No. 234 Dated:19.12.2015.

Read the following:-

1. Letter Rc.No.125/RC-EWG/87,dt.08.12.1987 received from the Director General, ACB, AP., Hyderabad.
2. Letter Rc.No.125/RC-EWG/87,dt.18.2.1989 received from the Director General, ACB, AP., Hyderabad.
3. G.O.Ms.No.119, I&CAD[Ser.VI] Dept., dt.10.5.1989.
4. G.O.Ms.No.266, I&CAD[Ser.VI] Dept., dt.20.10.1989
5. Judgement dt.31.03.2006 in CC No.43 of 1992 of the Spl. Judge for SPE&ACB Cases, Vijayawada.
6. Letter Rc.No.125/RC-EWG/87-S13, dt.14.11.2007 received from the Director General, ACB, AP., Hyderabad
7. Judgement dt.17.06.2015 in Criminal Appeal No.1387 of 2007 of the Hon'ble High Court of Judicature at Hyderabad for the State of Telangana and the State of A.P.

@@@

ORDER:-

In the ref.1st read above, the Investigating Agency has brought to the notice of the Government that Sri G.V. Gopala Rao formerly Executive Engineer, Godavari Special Division, Eluru, West Godavari District and working as P.A. to S.E. Yeluru Reservoir Project, Visakhapatnam acquired assets disproportionate to his known sources of income and a case was registered in Cr.No.8/ACB-ELR/87 u/s 5 (2) r/w 5(1) (e) of P.C. Act, against him.

2. In the ref.2nd read above, the Director General, Anti-Corruption Bureau, A.P., Hyderabad has recommended to prosecute the accused officer, Sri G.V. Gopala Rao, Executive Engineer [Retired] formerly worked at the Office of the Godavari Special Division, Eluru, West Godavari District under sections 5 (2) r/w 5 (1) (e) of P.C. Act, 1947 in a court of law.

3. In the ref.3rd read above, orders were issued placing under suspension against Sri G.V. Gopala Rao, Executive Engineer, formerly worked at the Office of the Godavari Special Division, Eluru, West Godavari District.

4. In the ref.4th read above, orders were issued for prosecuting the accused officer, Sri G.V. Gopala Rao, Executive Engineer [Retired] formerly worked at the Office of the Godavari Special Division, Eluru, West Godavari District in a competent court of law under section 5 (2) r/w 5(1) (e) of P.C.Act,1947 and section 13(2) r/w 13(1) (e) of the P.C. Act, 1988.

5. In the ref.5th read above, the Spl. Judge for SPE& ACB Cases, Vijayawada has delivered the judgment holding that the accused officer, Sri G.V. Gopala Rao, Executive Engineer [Retired] formerly worked at the Office of the Godavari Special Division, Eluru, West Godavari District is found not guilty and acquitted him of the charges.

[Contd.,]

6. In the ref.6th read above, the Director General, Anti-Corruption Bureau, A.P., Hyderabad has informed that Crl. Appeal No.1387/2007 filed before the Hon'ble High Court of A.P., Hyd., against the orders of the Spl. Judge for SPE & ACB Cases, Vijayawada in CC No.43/1992.

7. In the ref.7th read above, the Hon'ble High Court of Judicature at Hyderabad for the State of Telangana and the State of A.P. in its judgment dt.17.06.2015 in Criminal Appeal No.1387 of 2007 held that the Accused Officer, Sri G.V. Gopala Rao, Executive Engineer [Retired] formerly worked at the Office of the Godavari Special Division, Eluru, West Godavari District was convicted and having regard to the nature of the offence and the circumstances under which AO committed and having regard to quantum of disproportionate assets amassed by him and also considering his submission in Court that he is an old man and suffering with old age ailments and he has already lost his wife, the Hon'ble High Court viewed the imposition of minimum sentence of less than one year will meet the ends of justice and accordingly sentenced the AO to undergo simple imprisonment for a period of six (6) months and also to pay a fine of Rs.60,000/- and in default of payment of fine, shall undergo simple imprisonment for a period of two (2) months.

8. After careful examination of the entire matter in the Government, it has been decided to impose the punishment of withholding of pensionary benefits against the accused officer Sri G.V. Gopala Rao, Executive Engineer [Retired] formerly worked at the Office of the Godavari Special Division, Eluru, West Godavari District under Rule 9 of A.P. Revised Pension Rules, 1980, as the said accused officer was found guilty of the offence punishable under Section 13(2) read with Section 13(1) (e) of Prevention of Corruption Act, 1988 and convicted by the orders of the Hon'ble High Court of Judicature at Hyderabad for the State of Telangana and the State of A.P. in its judgment dt.17.06.2015 in Criminal Appeal No.1387 of 2007.

9. Accordingly, Government hereby impose the punishment of withholding pensionary benefits against the accused officer, Sri G.V. Gopala Rao, Executive Engineer [Retired] formerly worked at the Office of the Godavari Special Division, Eluru, West Godavari District under Rule 9 of A.P. Revised Pension Rules, 1980, as the said accused officer was found guilty of the offence punishable under Section 13(2) read with Section 13(1) (e) of Prevention of Corruption Act, 1988 and convicted by the orders of the Hon'ble High Court of Judicature at Hyderabad for the State of Telangana and the State of A.P. dt.17.06.2015 in Criminal Appeal No.1387 of 2007.

10. The Engineer-in-Chief, Water Resources, A.P., Hyderabad shall take further necessary action in the matter accordingly.

[BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH]

ADITYA NATH DAS
PRINCIPAL SECRETARY TO GOVERNMENT

To
Sri G.V. Gopala Rao, Executive Engineer formerly
worked at the Office of the Godavari Special Division,
Eluru, West Godavari District **Through** Engineer-in-Chief,
Water Resources, Hyderabad.
The Engineer-in-Chief, Water Resources, AP, Hyderabad.
Copy:-
The Accountant General, AP, Hyderabad.
The Director General, Anti-Corruption Bureau, AP, Hyderabad.
The Secretary to Vigilance Commission, A.P.V.C. Hyderabad.
Sf/Sc.

// FORWARDED BY ORDER //

SECTION OFFICER